

4330

2013-2014 Regular Sessions

I N   A S S E M B L Y

February 4, 2013

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Introduced by M. of A. LENTOL -- Multi-Sponsored by -- M. of A. CUSICK  
-- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the possession of  
disguised knives

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 265.00 of the penal law is amended by adding a new  
2     subdivision 25 to read as follows:  
3     25. "DISGUISED KNIFE" MEANS ANY KNIFE WHICH IS DESIGNED TO APPEAR AS  
4     AN OBJECT OTHER THAN A KNIFE, SUCH AS A COMB, WRITING INSTRUMENT, CIGARETTE  
5     LIGHTER OR OTHER OBJECT COMMONLY CARRIED ON THE PERSON, AND WHICH  
6     INCLUDES A BLADE CONCEALED WITHIN SUCH OBJECT.  
7     S 2. Subdivisions 6, 7 and 8 of section 265.01 of the penal law, as  
8     amended by chapter 1 of the laws of 2013, are amended and a new subdivision  
9     9 is added to read as follows:  
10    (6) He OR SHE is a person who has been certified not suitable to  
11    possess a rifle or shotgun, as defined in subdivision sixteen of section  
12    265.00, and refuses to yield possession of such rifle or shotgun upon  
13    the demand of a police officer. Whenever a person is certified not suitable  
14    to possess a rifle or shotgun, a member of the police department to  
15    which such certification is made, or of the state police, shall forthwith  
16    seize any rifle or shotgun possessed by such person. A rifle or  
17    shotgun seized as herein provided shall not be destroyed, but shall be  
18    delivered to the headquarters of such police department, or state  
19    police, and there retained until the aforesaid certificate has been  
20    rescinded by the director or physician in charge, or other disposition  
21    of such rifle or shotgun has been ordered or authorized by a court of  
22    competent jurisdiction[.]; OR  
23    (7) He OR SHE knowingly possesses a bullet containing an explosive  
24    substance designed to detonate upon impact[.]; OR

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1       (8) He OR SHE possesses any armor piercing ammunition with intent to  
2 use the same unlawfully against another[.]; OR  
3       (9) HE OR SHE POSSESSES ANY DISGUISED KNIFE.  
4       S 3. This act shall take effect on the first of November next succeed-  
5 ing the date on which it shall have become a law.